

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MASSACHUSETTS**

**CIVIL ACTION NO: 04CV12058WGY**

**BETTE J. RIVARD, as Administratrix of  
the Estate of John A. Horton,  
Plaintiff,**

**v.**

**DARTMOUTH HOUSE OF CORRECTION,  
BRISTOL COUNTY, JOHN DOE, RICHARD  
ROE, Bristol County Corrections Employees  
the identity and number of who is presently  
unknown to the Plaintiff,  
Defendants/ Third Party Plaintiffs**

**v.**

**PRISON HEALTH SERVICES, INC. and  
CORRECTIONAL HEALTH CARE SOLUTIONS, INC.  
Third Part Defendants**

**JOINT STATEMENT**

Pursuant to the Court's Notice of Scheduling Conference and Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts, counsel for the above named parties have conferred and state as follows:

**1. Joint Discovery Plan and Motion Schedule:**

The parties propose the following pre-trial schedule:

- (a) Automatic document disclosure to be completed on or before January 30, 2005.
- (b) Written discovery requests are to be filed by May 15, 2005, and answers/responses are to be filed within the time provided by the rules;
- (c) All depositions are to be completed by September 15, 2005, except for expert witnesses;
- (d) The plaintiffs' expert witnesses shall be designated by December 15, 2005, and

defendants' expert witnesses shall be designated within the time allowed by the Local Rules after plaintiff discloses said expert(s) as contemplated by Fed. R. Civ. P. 26(b)(4)(A); designation of experts shall include provision of any information required by the Federal Rules of Civil Procedure and/or the Local Rules of the District of Massachusetts; any expert depositions shall be completed within the time allowed by the Local Rules of defendants' expert designation;

- (e) All dispositive motions are to be filed by March 20, 2006, and responses are to be filed thereafter pursuant to Local Rule 7.1;
  - (f) The plaintiff shall name other parties, if any, not later than May 30, 2005;
  - (g) A final pre-trial conference will be held per order of the Court.
- 2. The parties are unsure as to the number of depositions they intend to complete.
  - 3. Certifications regarding each parties' consultation with counsel regarding budgets and alternative dispute resolution will be filed separately.

Plaintiffs,  
by their attorney,

Defendants,  
By their Attorney,

/s/Robert M. Proulx  
Robert M. Proulx, BBO# 640653  
Proulx Law Associates, P.C.  
170 High Street, Suite 301  
Taunton, MA 02780  
(508) 823-6441

/s/Regina M. Ryan  
Douglas I. Louison BBO# 545191  
Regina M. Ryan BBO# 565246  
Merrick, Louison & Costello, LLP  
67 Batterymarch Street  
Boston, MA 02110  
(617) 439-0305

Third Party Defendants,  
by their attorneys,

/s/Elizabeth Rennard  
Victor Koufman BBO# 545296  
Elizabeth Rennard BBO# 647777  
Koufman & Frederick  
265 Essex Street  
Salem, MA 01970  
(978) 745-9157

**CERTIFICATE OF SERVICE**

I, Regina M. Ryan, hereby certify that on the 28<sup>th</sup> day of December, 2004, I served the foregoing by causing a copy to be electronically mailed and regular mail, postage prepaid, directed to Robert M. Proulx, Esquire, Proulx Law Associates, P.C., 170 High Street, Suite 301, Taunton, MA 02780 and Elizabeth Rennard, Esquire, Koufman & Frederick, 265 Essex Street, Salem, MA 01970

/s/Regina M. Ryan

Regina M. Ryan